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7 Attorney for Defendant
8 Ahmed Elbadawy
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11 **UNITED STATES DISTRICT COURT**
12 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
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14 UNITED STATES OF AMERICA,
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16 Plaintiff,
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18 v.
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20 AHMED HOSSAM ELDIN ELBADAWY,
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22 Defendant
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Case No.: 2:24-CR-00595-JWH- 1&3

**UNOPPOSED *EX PARTE* APPLICATION TO
MODIFY CONDITIONS OF RELEASE TO
ALLOW DEFENDANT TO USE ONE
IPHONE, ONE COMPUTER, AND DISCORD**

24
25 Ahmed Elbadawy, through his counsel of record, Christopher Downey, respectfully requests the
26 Court modify his conditions of release to allow him to use the following electronic devices and
27 applications:
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- 29 1. One Apple iPhone 16 Pro Max 512 GB, Serial Number: 35 513832 965676 2 with the condition
30 that it be subject to search at any time by the Supervising Agency.
- 31 2. One Windows computer with the condition that it is subject to electronic monitoring, must have
32 electronic monitoring software as determined by the supervising agency, and is subject to search at any
33 time by the Supervising Agency.
- 34 3. Discord application via only one user account: "sealtoe," with the condition that the account is
35 subject to search at any time by the Supervising Agency.

1 Mr. Elbadawy's current condition only allows him to access one mobile device subject to the
2 approval of the Supervising Agency, and does not allow him to use Discord. (ECF No. 34 at 5.) Mr.
3 Elbadawy seeks a modification of these conditions so he can run his business successfully.

4 This application is based on the attached declaration of counsel.

5 Respectfully submitted,

6
7 DATED: May 20, 2025

By /s/ Christopher Downey
CHRISTOPHER DOWNEY
Attorney for Ahmed Elbadawy

DECLARATION OF COUNSEL

I, CHRISTOPHER DOWNEY, declare:

1. I am an attorney licensed in the State of Texas. I am the attorney of record representing Mr. Elbadawy *pro hac vice*.

2. Mr. Elbadawy made his initial appearance in this matter on December 19, 2024. The Court released him on a \$50,000 unsecured bond along with several conditions of release. These conditions require all digital devices he possesses to be subject to monitoring by the Supervising Agency. (ECF No. 34 at 4.) In addition, Mr. Elbadawy was ordered not to “use and or access Discord, Telegram, Signal, ProtonMail, and any other encrypted email or messaging platforms that are not approved by the Supervising Agency,” and is “limited to only one mobile device, to be approved by the Supervising Agency.” (Id at 5.)

3. Mr. Elbadawy runs a business buying and selling items primarily to customers on Amazon. The nature of this business requires him to be very quick when deciding to purchase certain stocks of items that he can sell for a profit. A delay by even minutes could cause him to lose the purchase of a stockpile, or a sale of the items, to a competitor. Mr. Elbadawy utilizes an iPhone to run his business because of the fast notification and transaction times. Android and other smart phones by comparison are much slower when delivering push notifications, and have software applications that are either lacking in performance, or not up to date. If Mr. Elbadawy is restricted to the use of an android or other windows phone, he would lose a valuable competitive edge which would severely hurt his ability to make a profit.

4. Mr. Elbadawy also utilizes Discord to help run his business. The application serves as a platform where anonymous Amazon sellers discuss cost cutting measures and strategies of how to run their businesses more efficiently. Users share educational videos, training seminars, and tips for how to become more profitable in the marketplace. The platform also allows users to monitor hot releases, and item inventories that may be less known of by the general public.

5. On April 28, 2025, my office contacted government counsel via telephone and email about this request. AUSA Lauren Restrepo responded that the government had no objection.

1 6. On May 5, 2025, my office contacted the United States Probation Officer and informed
2 them of our proposed modifications. After adding their suggestion to the conditions, the United States
3 Probation Officer indicated they were unopposed on May 14, 2025.

4 7. I declare under penalty of perjury under the laws of the United States of America that the
5 foregoing is true and correct.

6 Executed on May 20, 2025.

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8 /s/ Christopher Downey
9 CHRISTOPHER DOWNEY
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